

## **REMARKS**

1. In response to the Office Action mailed May 28, 2009, Applicant respectfully requests reconsideration. Claims 1-14, 24-26, and 29 were last presented for examination. In the outstanding Office Action, claims 1-8, 10-14, 24-26, and 29 were rejected and claim 9 was objected to. By the foregoing Amendments, claims 1, 7, 24, and 26 have been amended. Claim 6 has been cancelled without prejudice or disclaimer. No claims have been added. Upon entry of this paper, claims 1-5, 7-8, 10-14, 24-26, and 29 will be pending in this application. Of these eighteen (18) claims, 3 claims (claims 1, 24 and 26) are independent.
2. Based upon the above Amendments and following Remarks, Applicant respectfully requests that all outstanding objections and rejections be reconsidered, and that they be withdrawn.

### ***Allowable Subject Matter***

3. Applicant's claim 9 is objected to but has been indicated as being allowable if rewritten in independent form including all of the limitations of the base and any intervening claims. Applicant would like to thank the Examiner for indicating that independent claim 9 is directed to allowable subject matter.

### ***Claim Rejections under §102(b)***

4. The rejection of claims 1-8, 10-11, 13-14, 24-26 and 29 under 35 USC § 102(b) as being anticipated by U.S. Patent No. 5,824,026 to Diaz ("Diaz") is respectfully traversed for the following reasons and the above amendments.
5. Applicants have amended independent claim 1 to incorporate the subject matter of dependent claim 6. As such, as amended, independent claim 1 recites "an electrically conductive element, wound in an anticlockwise direction for a first length of said body and in a clockwise direction for a second length of said body...." (See, Applicant's claim 1, above.) Applicant will address the Examiner's rejection of dependent claim 6 in the following discussion.
6. In rejecting dependent claim 6, the Examiner asserted that Fig. 4 of Diaz discloses conductors that are wound clockwise for a length and anti-clockwise for the same length. (See, Office Action, pg. 2.) Applicant respectfully disagrees for at least the following reasons.

7. Fig. 4 of Diaz illustrates a partial view of a catheter 10b with partial cutaway sections that reveal the inner composite structure 18b of catheter 10b. (*See*, Diaz col. 5 lns. 25-28.) As illustrated, the catheter has a first layer of stranded fibers 34 on the outer surface of a non-conductive core 28. (*See*, Diaz col. 5 lns. 34-35.) A second layer of stranded fibers 42 is illustrated as immediately over the first layer of stranded fibers 34. (*See*, Diaz col. 5 lns. 35-37.) Further, as illustrated, each layer is stranded over the underlying layer in a direction opposite to that of the closest underlying layer. (*See*, Diaz col. 5 lns. 37-43.) Thus, as illustrated, the first layer 34 is stranded in a clockwise direction and the second layer 42 is stranded in a counter-clockwise direction. (*See*, Diaz FIG. 4.)

8. Diaz, however, does not illustrate that the strands of either the first layer 34 or the second layer 42 are stranded in a clockwise direction for a length and then in a counter-clockwise direction for a length. For example, Diaz illustrates that the strands of the first layer 34 are stranded in a clockwise direction for their entire length. Thus, Diaz does not illustrate that the strands of the first layer are stranded in a counter-clockwise direction for any length of the catheter 10b. Similarly, Diaz illustrates that the strands of the second layer 42 are stranded in the same direction (counter-clockwise) for their entire length. Thus, the strands of the second layer 42 are not wound clockwise for a first length and then counter-clockwise for a second length.

9. Applicant there respectfully submits that Diaz fails to anticipate or render obvious “an electrically conductive element, wound in an anticlockwise direction for a first length of said body and in a clockwise direction for a second length of said body,” as recited in Applicant’s claim 1. Applicant therefore respectfully requests that the Examiner reconsider and withdraw the rejection to claim 1 for at least this reason.

10. Independent claim 24, as amended, recites “an electrically conductive element, wound in an anticlockwise direction for a first length of said body and in a clockwise direction for a second length of said body....” (*See*, Applicant’s claim 24, above.) As such, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection to claim 24 for at least similar reasons to those discussed above with reference to independent claim 1.

11. Independent claim 26, as amended, recites “an electrically conductive element, helically wound in an anticlockwise direction for a first length of said body and in a clockwise direction

for a second length of said body....” (See, Applicant’s claim 26, above.) As such, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection to claim 26 for at least similar reasons to those discussed above with reference to independent claim 1.

***Dependent Claims***

12. The dependent claims incorporate all the subject matter of their respective independent claims and add additional subject matter which makes them independently patentable over the art of record. Accordingly, Applicant respectfully asserts that the dependent claims are also allowable over the art of record.

***Conclusion***

13. In view of the foregoing, this application should be in condition for allowance. A notice to his effect is respectfully requested.

14. Applicant reserves the right to pursue any cancelled claims or other subject matter disclosed in this application in a continuation or divisional application, cancellations and amendments of above claims, therefore, are not to be construed as an admission regarding the patentability of any claims and Applicant reserves the right to pursue such claims in a continuation or divisional application.

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Respectfully submitted,

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